

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7244

BILL NUMBER: SB 487

NOTE PREPARED: Apr 8, 2013

BILL AMENDED: Apr 8, 2013

SUBJECT: Nonresident Shooting Preserve Hunting Fees.

FIRST AUTHOR: Sen. Steele

FIRST SPONSOR: Rep. Lehe

BILL STATUS: 2nd Reading - 2nd House

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill does the following.

Shooting Preserve Provisions: This bill requires a nonresident of Indiana to acquire a special license to shoot on licensed shooting preserves in Indiana. The bill makes the fee for a special license equal to the fee for a resident annual hunting license. It also requires the Department of Natural Resources (DNR) to issue special licenses.

The bill also provides that fees from special licenses to shoot on a shooting preserve are not required to be used by the DNR to increase the upland game bird population.

The bill provides that animals regulated under shooting preserve regulations are exempt from importation permit requirements.

Hunting Preserve Provisions: The bill provides for the licensing and operation of cervidae hunting preserves on which farm-raised and -released cervidae are hunted. The bill establishes licensing requirements, duties, and fees. It exempts licensed hunting preserves from the licensing requirements for game breeders and shooting preserves. It also exempts cervidae hunting preserves from certain exotic mammal hunting requirements.

The bill provides that hunters on hunting preserves are required to have a deer hunting license and are not subject to bag limits. The bill also requires that a transportation tag be purchased and fixed to the leg of each cervid taken on a hunting preserve.

The bill prohibits: (1) computer-assisted remote hunting on hunting preserves; and (2) drugging or baiting to affect the outcome of a hunt.

The bill allows the Indiana Board of Animal Health (BoAH) and the Department of Natural Resources (DNR) to adopt certain rules.

The bill also restricts cervidae on hunting preserves from qualifying for certain livestock indemnification programs.

Effective Date: July 1, 2013.

Summary of NET State Impact: *Hunting Preserve Provisions:* The fiscal impact of the hunting preserve provisions is likely to be small, being dependent on the number and type of hunting licenses that would have been purchased absent the provisions of the bill. The required transportation tag revenue and the required hunting preserve licenses may result in a small net increase in revenue to the Fish and Wildlife Fund. The administrative expenditures associated with the hunting preserve provisions should be covered by the revenue increase due to the hunting preserve licenses and the transportation tags.

Shooting Preserve Provisions: This bill may decrease the amount of fee revenue associated with the purchase of nonresident hunting licenses to the extent that out-of-state hunters exclusively hunt on shooting preserves and not on public lands located within the state.

The bill provides that captive-reared and -released species of exotic mammals and pheasant, quail, chukar partridges, properly marked mallard ducks, and other game bird species as determined by DNR rules are not subject to wild animal import permits. This provision should have no fiscal impact.

Explanation of State Expenditures: *Hunting Preserve Provisions:*

Licensing of Cervidae Hunting Preserves: The Department of Natural Resources (DNR) must issue hunting preserve licenses, provide for the annual renewal of licenses, and provide hunting preserve transportation tags. The DNR would have additional expenditures related to staff time needed promulgate rules to administer the provisions of the bill, and issue licenses to the 4 hunting preserves that would fall under the licensing provisions of the bill. The bill does not allow for more than 4 hunting preserves to be operated in the state.

(Revised) While the bill does not require annual inspections, DNR rules for shooting preserves provide for annual inspections. It is assumed that the DNR would require inspections of facilities and records of licensed hunting preserves in rules to be adopted to administer hunting preserves. The DNR spends 4 to 6 hours per inspection, and for the larger pens it can take two officers to complete an inspection. Inspection costs can range from \$88 to \$264 per pen. The total costs of inspections would be limited to 4 hunting preserve licenses and would be dependent on the content of the DNR rules that are promulgated. Hunting preserves are required to collect and document specific data on forms supplied by the DNR and to annually submit copies of the records to the DNR. Specified data is required to be kept for two years. Overall expenses associated with the administration of the bill are estimated to be minor.

Board of Animal Health Provisions: The bill provides that the BoAH may adopt rules concerning the health

of cervidae on hunting preserves. The BoAH reports that these rules are currently in place for animals on breeding farms and hunting preserves. The fiscal impact of indemnification provisions in the bill would be dependent upon a specific set of circumstances involving the occurrence of chronic wasting disease on a hunting preserve.

Explanation of State Revenues: *Hunting Preserve Provisions:*

(Revised) Net impact on license and fee revenue would depend on the number of transportation tags sold each year and any potential reduction in the number and type of general hunting and deer licenses sold as a result of the operation of the hunting preserves. The four hunting preserve licenses would result in \$10,000 initially and \$4,000 annually thereafter. All revenue would be deposited in the Fish and Wildlife Fund, which is used to fund the operations of the DNR Divisions of Fish & Wildlife and Enforcement.

(Revised) *Cervidae Hunting Preserve Licenses:* The bill establishes a hunting preserve license and requires an initial fee of \$2,500 and a renewal fee of \$1,000 each year thereafter. The licensure provisions of the bill are limited to the four hunting preserves that have been in continuous operation during the term of a court-ordered injunction. The bill provides for no additional hunting preserves.

Transportation Tags: The DNR will be required to provide transportation tags for every cervidae taken on the hunting preserve. Each transportation tag will have a fee of \$50 for each cervidae taken on the hunting preserve. If 1,000 cervidae are taken on the hunting preserves each year, the transportation tag revenue would result in \$50,000 for the Fish and Wildlife Fund.

Game Breeder's Licenses. The owner of a hunting preserve license is not required to possess a game breeder's license or a shooting preserve license. The fee for a game breeders license is \$15. The fee for a shooting preserve license is \$100. If the operator of a hunting preserve licenses also wishes to separately operate a shooting preserve, that activity would continue to require a shooting preserve license. The addition of the four hunting preserve licenses should result in a net increase in facility license revenue.

Hunting Licenses: The bill would require users of a hunting preserve to obtain a deer hunting license. The bill also provides that there is no bag limit for permitted animals of either sex taken on a hunting preserve. (The current resident deer hunting license fee is \$24; the nonresident fee is \$150. A separate deer license is required for each deer taken.) The bill may reduce the amount of fee revenue associated with general hunting licenses and deer hunting licenses. The extent to which revenue might be reduced would depend on the number of licenses that might otherwise be purchased absent this provision. Transportation tag revenue may offset, somewhat, the loss of license fee revenue.

Shooting Preserve Provisions:

This bill may decrease the amount of fee revenue associated with the purchase of nonresident hunting licenses to the extent that out-of-state hunters exclusively hunt on shooting preserves and not on public lands located within the state. The bill requires the DNR to issue a special license with a fee equal to the fee for a resident annual hunting license for nonresident hunters to shoot on a licensed shooting preserve. Currently, a basic resident hunting license is \$17 for a resident and \$80 for a nonresident. DNR also offers a 5-day nonresident license for \$31. Fee revenue could be reduced by \$14 to \$63 per nonresident hunter depending on the license option purchased. Hunting for game birds, turkey, and deer require additional stamp privileges and licenses.

License and stamp revenues are deposited in the Fish and Wildlife Fund and used to support the operation of the Division of Fish and Wildlife.

The bill provides that captive-reared and -released species of exotic mammals and pheasant, quail, chukar partridges, properly marked mallard ducks, and other game bird species as determined by DNR rules are not subject to wild animal import permits. Current law requires that any wild animal other than animals intended for exhibition in a zoo or other public display and other animals designated by DNR rules must not be brought into the state without a permit issued by the DNR. An application for a permit must be accompanied by a fee of \$5. The DNR reports there have been no importation permits issued to shooting preserves. This provision should have no fiscal impact.

Explanation of Local Expenditures: The bill exempts hunting preserves from the law under which counties have liability for losses of certain animals that are killed or maimed by dogs. To the extent that counties would pay claims for livestock damages caused by dogs, the bill would eliminate any damages incurred by hunting preserves as a county liability.

Explanation of Local Revenues:

State Agencies Affected: DNR, State Board of Animal Health.

Local Agencies Affected: County auditors and local law enforcement

Information Sources: DNR.

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